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In Chambers of:  
U.S. Magistrate Judge  
ROANNE L. MANN

OCT 21 2010

October 21, 2010

VIA FAX (718) 613-2355

Hon. Roanne L. Mann USMJ  
United States District Court  
Eastern District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

RE: Thomas et al. v. New York City Department of Education et al  
09-cv-5167 (SLT) (RLM)

Hon. Judge Mann:

We are named plaintiffs in the above-referenced action.

Prior to Your Honor's granting the application of plaintiff Josefina Cruz on October 1, 2010, we had contacted an attorney and a firm and lined them up as the new counsel to substitute in for our former attorney, Joy Hochstadt.

However, that lawyer and firm backed out of representing us due to the harassment and mischief caused by our former attorney. Ms. Hochstadt's refusal to cooperate with us in the substitution of counsel and the orderly transfer of representation, and especially the repeated reference to our proposed incoming counsel in her October 1, 2010 letter to this Court created a very high level of discomfort for that lawyer and his law firm, based on the potential harm to their credibility as attorneys.

In addition to the October 1, 2010 letter, Ms. Hochstadt sent other inappropriate e-mails to the lawyer and law firm who were set to represent us. And, as a result, the same day Your Honor issued an Order denying our former attorney's "First Motion for Extension of Time," the new lawyer and law firm communicated to us they had decided to decline to represent us in this class action. We were informed that while they liked the claims and would have been honored to represent us, they simply did not want to become embroiled in any infighting "in the plain sight of the Judge". If Your Honor wants, we can submit copies of these communications so the Court can see what has happened. However, we did not want to file them with this letter because of the possible prejudice to us, to other plaintiffs and to our claims.

In the last week, we have started to pursue other possible lawyers and firms to represent us. However, we practically had to start from scratch and lost momentum. This past

*The Court will grant the applicants one final extension of the referenced deadline, until November 15, 2010.*

*The Court is troubled by the allegations made against plaintiffs' counsel of record. The applicants shall produce, for an <sup>by</sup> October 28, 2010, camera inspection, copies of the "inappropriate emails" to which the applicants refer. The Court will then decide whether to order a response from Joy Hochstadt.*

SO ORDERED

/s/  
Roanne L. Mann  
U.S. Magistrate Judge  
Dated: 10/22/10

Hon. Judge Mann

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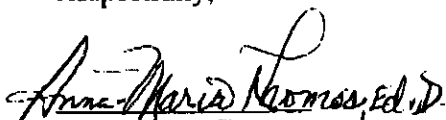
week we made appointments and met with a few and will continue to do so. Nevertheless, we have been unable as of this date to secure a new law firm to represent us. It does not seem likely that we can have everything in place before the forthcoming deadline of October 25, 2010.

In view of the above unexpected turn of events, we pray that the Court will give us additional time to substitute in new counsel.

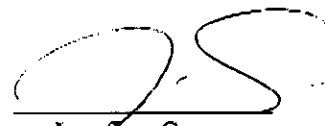
As for the deadline within which to file our Motion for Reconsideration or Relief from the September 14, 2010 Order, we intend to prepare and file something ourselves, even if it is as *pro se* litigants.

We pray that Your Honor understands the situation and thank you for Your Honor's courtesy.

Respectfully,

  
Anna-Maria Thomas

  
Paul Santucci

  
Josefina Cruz

cc: Hon. Sandra L. Townes  
Maxwell Leighton, Esq.  
Joy Hochstadt, Esq.  
Other named plaintiffs